

# **Carolyn Smith, et al. v. Jefferson County, Mississippi, et al.**

**Carolyn Smith**

**April 18, 2025**

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**EXHIBIT 9**

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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
WESTERN DIVISION

CAROLYN SMITH, ET AL

PLAINTIFFS

V. CIVIL ACTION NO. 5:24-CV-0072-DCB-ASH

JEFFERSON COUNTY,  
MISSISSIPPI, ET AL

DEFENDANTS

DEPOSITION OF CAROLYN SMITH

Taken at the instance of the Defendants at the Law  
Offices of Carroll Rhodes, 119 Downing Street,  
Hazlehurst, Mississippi 39083, on Friday,  
April 18, 2025,  
beginning at 8:53 a.m.

REPORTED BY:

ROBIN G. BURWELL, CCR #1651

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<p>1 APPEARANCES:</p> <p>2</p> <p>3 CARROLL RHODES, ESQ.</p> <p>4 Law Offices of Carroll Rhodes</p> <p>5 Post Office Box 588</p> <p>6 Hazlehurst, Mississippi 39083</p> <p>7 crhode@bellsouth.net</p> <p>8</p> <p>9 COUNSEL FOR PLAINTIFF</p> <p>10</p> <p>11 THOMAS L. CARPENTER, ESQ.</p> <p>12 Wise, Carter, Child &amp; Caraway</p> <p>13 2510 14th Street, Suite 1125</p> <p>14 Gulfport, Mississippi 39501</p> <p>15 tlc@wisecarter.com</p> <p>16</p> <p>17 COUNSEL FOR DEFENDANT</p> <p>18</p> <p>19 ALSO PRESENT:</p> <p>20</p> <p>21 Shaquita McComb</p> <p>22 Bonita Blake</p> <p>23 Sandra Sanders</p> <p>24 James Ellis, Jr.</p> <p>25</p>	<p>1 CAROLYN SMITH,</p> <p>2 having been first duly sworn, was examined and</p> <p>3 testified as follows:</p> <p>4 EXAMINATION BY MR. CARPENTER:</p> <p>5 Q. Ms. Smith, I'm Tom Carpenter. I</p> <p>6 represent Sheriff Bailey and Jefferson County.</p> <p>7 A. Okay.</p> <p>8 Q. And this deposition, we are going to</p> <p>9 push to go for an hour.</p> <p>10 A. Yes, sir.</p> <p>11 Q. Because we have every one on one day.</p> <p>12 I've spent a few hours going through everything so</p> <p>13 that we can sort of get to, I think, what the</p> <p>14 important stuff is.</p> <p>15 You'll hear a couple of things in a</p> <p>16 minute with Carroll and it's what's going to be</p> <p>17 called as the "usual stipulations."</p> <p>18 MR. RHODES: Yes.</p> <p>19 Q. (By Mr. Carpenter) And Carroll says</p> <p>20 yes. What that means is, because we don't have a</p> <p>21 judge here today, we're waiving all of the</p> <p>22 objections that we would make in trial, like</p> <p>23 hearsay. He said this, you said this. You know,</p> <p>24 hear say. Well, it's okay today because we're</p> <p>25 here to get information and so whoever said</p>
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<p>1 INDEX</p> <p>2 Style.....1</p> <p>3 Appearances.....2</p> <p>4 Index .....3</p> <p>5 Certificate of Deponent .....80</p> <p>6 Certificate of Court Reporter .....81</p> <p>7 EXAMINATIONS</p> <p>8 Examination By Mr. Carpenter .....4</p> <p>9 Examination By Mr. Rhodes .....72</p> <p>10 Examination By Mr. Carpenter .....76</p> <p>11 EXHIBITS</p> <p>12 Exhibit 1 Notice .....57</p> <p>13 Exhibit 2 Medical Records .....57</p> <p>14 Exhibit 3 Org Chart .....73</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>1 whatever, that's perfectly fine. And since we</p> <p>2 don't have a judge, we got no one to make</p> <p>3 decisions anyway about whether something's</p> <p>4 admissible.</p> <p>5 So we waive everything but for two</p> <p>6 things. Number one, privilege. You have a legal</p> <p>7 privilege so that anything you discuss about with</p> <p>8 Mr. Rhodes, other than like the facts of the case,</p> <p>9 like your last day of employment, you might have</p> <p>10 mentioned that to him, but that's something we can</p> <p>11 find out about. Legal theories, what he thinks</p> <p>12 about the case, that's between you and him, isn't</p> <p>13 my business. So we won't be asking that.</p> <p>14 And as far as medical goes, I've looked</p> <p>15 at your complaint and see what you're looking for.</p> <p>16 Certain things would be waived by that, like</p> <p>17 emotional distress. A lot of things won't. So</p> <p>18 we'll really be focusing -- I know you've had some</p> <p>19 -- you mentioned that you've had upset stomach and</p> <p>20 things like that, so we might cover it. We won't</p> <p>21 cover likes that are at issue.</p> <p>22 Like, if you have a foot pain, well,</p> <p>23 unless you tell me the foot pain happened because</p> <p>24 of this, then I'm not going to be getting into</p> <p>25 your foot pain.</p>

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<p>1 A. Yes, sir.</p> <p>2 Q. So that's privilege.</p> <p>3 The other thing is form. And we may</p> <p>4 object and we may say "form" and maybe even a</p> <p>5 couple of words like "argumentative" or</p> <p>6 "speculative." All that means is me and him are</p> <p>7 putting objections, which are placeholders. So</p> <p>8 when we read your deposition, we'll go ah-ha, I</p> <p>9 know I said something about that, and then we can</p> <p>10 mark it. But we'll waive all of that.</p> <p>11 But a form objection is a badly worded</p> <p>12 question, and we fix those as we go. So if I were</p> <p>13 to ask you five questions, and here we go: Name,</p> <p>14 age, Social Security number, address. Now,</p> <p>15 starting from the top -- and he's going to say</p> <p>16 well, I'm going to object to the form. That's a</p> <p>17 multiple question and people can't keep all that</p> <p>18 in their head, and he would be right. So that's</p> <p>19 just a badly worded question.</p> <p>20 And the other thing you will hear is</p> <p>21 something called read and sign. And --</p> <p>22 MR. RHODES: We'll read and sign.</p> <p>23 Q. (By Mr. Carpenter) And you've got to</p> <p>24 read and sign. So what that means is our court</p> <p>25 reporter will take down what we're saying here</p>	<p>1 board?</p> <p>2 A. Yes, sir.</p> <p>3 Q. What else do you do?</p> <p>4 A. Right now I work at Alcorn State</p> <p>5 University as a greeter.</p> <p>6 Q. And when did you start with Alcorn</p> <p>7 State?</p> <p>8 A. I started September the 1st of 2024.</p> <p>9 Q. Okay. And your position is greeter?</p> <p>10 A. Is a greeter.</p> <p>11 Q. Very good.</p> <p>12 And how much does that pay?</p> <p>13 A. 10.65.</p> <p>14 Q. Okay.</p> <p>15 A. No, 10.30 -- I think 10.35. I'm sorry.</p> <p>16 Q. That's no problem.</p> <p>17 And in December of 2023, which is the</p> <p>18 last month I understand you worked for</p> <p>19 Jackson{sic} County --</p> <p>20 A. Jefferson.</p> <p>21 Q. JC -- correct. I'm thinking Jackson --</p> <p>22 I see JC and I think that's correct.</p> <p>23 JFCO, Jefferson Franklin Correction</p> <p>24 Office. How much were you making in December of</p> <p>25 '23?</p>
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<p>1 today and she'll give you a nice book at the end</p> <p>2 of it. You get to review it, and if there's</p> <p>3 things that you think you said that differ than</p> <p>4 what the court reporter has, you can say what</p> <p>5 page, line and I meant to say "no" and it's got</p> <p>6 "not" and it's supposed to be "no." And you</p> <p>7 annotate and that gets notarized and becomes a</p> <p>8 part of the overall deposition.</p> <p>9 So that's what reading and signing's all</p> <p>10 about.</p> <p>11 A. Yes, sir.</p> <p>12 Q. With that having being said, I think we</p> <p>13 can get started. If you'll give me your full</p> <p>14 name, Ms. Smith.</p> <p>15 A. Carolyn Smith.</p> <p>16 Q. And where do you live in terms of your</p> <p>17 address now?</p> <p>18 A. I live at 16 Barnes Lane in Union</p> <p>19 Church, Mississippi in Jefferson County.</p> <p>20 Q. How long have you lived there?</p> <p>21 A. All of my life.</p> <p>22 Q. Very good.</p> <p>23 And what do you do currently as an</p> <p>24 occupation? And I know you're on the school</p> <p>25 board; in fact, you're the president of the school</p>	<p>1 A. Approximately about 18 or \$19, because I</p> <p>2 had just got a raise before I left.</p> <p>3 Q. Okay. All right. And how much do you</p> <p>4 make as a school board member?</p> <p>5 A. \$300 a month, and that is tax.</p> <p>6 Q. I received a school board stipend for a</p> <p>7 long time, so I'm familiar with that.</p> <p>8 Is there any -- and I wouldn't think</p> <p>9 there is. But is there any addition monthly pay</p> <p>10 you get from that for being the president, or just</p> <p>11 you get what every other --</p> <p>12 A. Everybody gets the same as a member.</p> <p>13 Q. Okay. Now, I understand -- well, we'll</p> <p>14 start with some other just basic background.</p> <p>15 Some of these questions, by the way,</p> <p>16 because -- we call this a private deposition,</p> <p>17 which is when this thing's over with these, things</p> <p>18 are on their way to the City dump, after they've</p> <p>19 been shredded. So when I ask you for like age,</p> <p>20 don't worry, we ain't putting it on Facebook.</p> <p>21 But how old are you now?</p> <p>22 A. 57.</p> <p>23 Q. Okay. And your educational background.</p> <p>24 I think you graduated from high school?</p> <p>25 A. Yes, sir.</p>

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<p>1 Q. Did you attend any other schools, like</p> <p>2 either at Alcorn or Co-Lin?</p> <p>3 A. No. I went to Co-Lin one semester for</p> <p>4 EMT.</p> <p>5 Q. Got it. Now, between December the 31st</p> <p>6 of 2023 and September the 1st of 2024, did you</p> <p>7 work anywhere?</p> <p>8 A. No, sir.</p> <p>9 Q. And in that period of time, did you</p> <p>10 apply to places to work?</p> <p>11 A. I did.</p> <p>12 Q. And where was that?</p> <p>13 A. I applied at Sanderson Farms. I applied</p> <p>14 at Wal-Mart distribution. I applied at Wal-Mart</p> <p>15 store. I applied for -- at Adams County</p> <p>16 Correctional Facility. That's the federal prison</p> <p>17 on Highway 84. And, of course, I applied twice at</p> <p>18 Alcorn State University.</p> <p>19 Q. Okay. And so ultimately in September of</p> <p>20 2024, you started with -- you started there?</p> <p>21 A. Yes, sir.</p> <p>22 Q. Okay.</p> <p>23 A. But I did have an interview at the</p> <p>24 correctional facility in Adams County.</p> <p>25 Q. Okay. I used to represent that sheriff</p>	<p>1 Q. Okay. Did you also go at times to</p> <p>2 Bounds Family Medicine?</p> <p>3 A. I did.</p> <p>4 Q. So it would have been Bounds Family</p> <p>5 Medicine that had seen you during this period of</p> <p>6 time?</p> <p>7 A. Yes, sir.</p> <p>8 Q. And Jefferson County Health --</p> <p>9 A. Jefferson Comprehensive Health Clinic.</p> <p>10 Q. Got it. Excellent.</p> <p>11 And I may have asked this question. Do</p> <p>12 you know what your medical bills are in terms of a</p> <p>13 dollar amount related --</p> <p>14 A. I really don't, because I've got sick</p> <p>15 during the course of time and I had to go to</p> <p>16 King's Daughters Medical Center and I know that</p> <p>17 bill ran up.</p> <p>18 Q. Now, when you went to King's Daughters</p> <p>19 Medical Center, did that have to do with --</p> <p>20 A. Very stressful, yes, sir.</p> <p>21 Q. Okay. So what did they treat you for?</p> <p>22 A. They treated me for anxiety, stress,</p> <p>23 loss of weight. It was just a number of things I</p> <p>24 was...</p> <p>25 Q. Who did you see there?</p>
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<p>1 as well. Roosevelt. That's been a long time ago.</p> <p>2 That's been 20 years ago.</p> <p>3 A. Yes, sir.</p> <p>4 Q. Okay. Now, for medical bills. Do you</p> <p>5 know how much your medical bills are?</p> <p>6 A. Well, my medical bill ran up. I</p> <p>7 couldn't afford to pay my medical bills --</p> <p>8 MR. RHODES: Object as to the form.</p> <p>9 Q. (By Mr. Carpenter) If you know.</p> <p>10 MR. RHODES: The only reason, you</p> <p>11 limited it to medical bills related to treatment</p> <p>12 for --</p> <p>13 Q. (By Mr. Carpenter) Oh, of course.</p> <p>14 Correct. Yeah. And you can assume when we talk</p> <p>15 about medical records or bills, we're concerned</p> <p>16 about related medical records and bills.</p> <p>17 Do you know what your medical bills are</p> <p>18 related to what happened in late the 2023 at JC --</p> <p>19 Jefferson Franklin?</p> <p>20 A. Well, I only had insurance one month</p> <p>21 after that. After that, my insurance decreased</p> <p>22 and I could only afford to go to a comprehensive</p> <p>23 clinic where I paid \$25. And the medicine that</p> <p>24 was so expensive that I couldn't afford my</p> <p>25 medicine because I didn't have insurance.</p>	<p>1 A. It was a doctor in the emergency room.</p> <p>2 Q. All right. And how many times did you</p> <p>3 go to King's Daughters?</p> <p>4 A. Once.</p> <p>5 Q. Okay. Do you know when -- about when</p> <p>6 that was?</p> <p>7 A. Approximately, it must have been in May</p> <p>8 or June, something like that.</p> <p>9 Q. 5, 6 of '24. And what did they</p> <p>10 prescribe for you or suggest for you?</p> <p>11 A. Well, they gave me a whole list of</p> <p>12 medicine. It was some anxiety medicine, sleeping</p> <p>13 medicine. During that time I think I had a sinus</p> <p>14 infection. Stuff like that.</p> <p>15 Q. Okay. So when you went to King's</p> <p>16 Daughters you were dealing both with anxiety,</p> <p>17 depression and sinusitis?</p> <p>18 A. Yes, sir.</p> <p>19 Q. Gotcha. Okay.</p> <p>20 Now, just some general questions that</p> <p>21 will be questions that everybody will get, and</p> <p>22 then we'll go specifically into your contentions</p> <p>23 from the complaint, through disclosures, through</p> <p>24 your discovery and then through medical bills,</p> <p>25 too, or medical records, which we have.</p>

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<p>1 Because of what happened -- and I'm just 2 going to say at JF, Jefferson Franklin. Because 3 of what happened at JF, other than this period of 4 time that you were out of work, do you feel 5 physically or emotional unable to work in any way? 6 A. Yes, because it was something that I had 7 to learn to do all over. Which on this job, I had 8 been there for 27-and-a-half years. It made me 9 mentally embarrassed, emotional distress. I 10 couldn't think, couldn't eat, couldn't sleep, loss 11 of weight, loss of hair. 12 Q. Okay. All right. And because of that 13 you treated with King's Daughters once in 14 Brookhaven? 15 A. Yes. 16 Q. And I think you said you went once to 17 Jefferson County Comprehensive because of 18 insurance issues? 19 A. Yes, sir. 20 Q. Got it. Okay. 21 As far as physical pain, in your 22 interrogatories you mentioned, well, diarrhea? 23 A. Yes, sir. 24 Q. How long did that go? 25 A. Diarrhea lasted me than like two weeks</p>	<p>1 Q. But the job with Alcorn State, that's 2 working out? 3 A. It's working out, but it's not what I 4 was used to making there. It's like now I'm 5 living from paycheck to paycheck. Because every 6 time I get a check I have to pay a bill or try to 7 get caught up from things that I was behind on. 8 Q. All right. Do you have any plans to -- 9 because I know -- upon reviewing your discovery, 10 you're working like in -- you had your school 11 board salary, you were working for JF, and you 12 were also working in other -- did you have more 13 than one job during that period of time while you 14 were at JF, or were you only working there? 15 A. While I was inside the building? 16 Q. Yes. 17 A. I had multiple positions and roles that 18 I was taking on inside the facility. 19 Q. I'm sorry. I mean were you working 20 anywhere other than the facility? 21 A. No, sir. 22 Q. All right. Are you looking for a second 23 job to supplement the income you get as a greeter? 24 A. Well, it's hard to try to get another 25 job to fit in with the schedule that I'm on now.</p>
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<p>1 or three weeks. I couldn't hold anything down. 2 Couldn't eat, couldn't think of nothing, couldn't 3 sleep. Normally times that -- where I was 4 sleeping when I was employed eight hours, sleep 5 narrowed down to three or four hours a night. 6 Q. Right. 7 A. I couldn't -- I couldn't barely do 8 anything but just sit and think where my next 9 income was coming from. 10 Q. Okay. During the period of time, the 11 nine months between the beginning of '24 and when 12 you started work for Alcorn State, what did you do 13 for income in the absence of a job? 14 A. Well, I had opportunity to draw my 15 unemployment. It was \$235 a week. 16 Q. Okay. So about 900 a month or 17 thereabouts? 18 A. Yes. 19 Q. How long did that last? 20 A. I think I got that for 24 or 25 weeks, 21 something like that. 22 Q. So about six months? 23 A. Yes, sir, and it came to an end. 24 Q. Okay. 25 A. And it still wasn't enough to pay bills.</p>	<p>1 Q. Okay. 2 A. I mean, I'm going to need some time to 3 still rest, and I'm already overwhelmed in trying 4 to do the things that I'm doing now. So it would 5 be very hard for me to try to fit a second job 6 into my schedule. 7 Q. Let's see. Beyond the stomach 8 complaint -- pain that you had and beyond the 9 diarrhea, were there any other physical issues 10 that arose from this? You mentioned you couldn't 11 sleep and that's an emotional type thing. But 12 anything else that you can think of? 13 A. Well, yes, I mean I couldn't eat. 14 Q. Okay. 15 A. I mean half of the time when I got home 16 I couldn't think about what I had to do. I had to 17 try to take care of my mom. She's 84 years old, 18 trying to take care of her. So that put a very 19 lot of strain and stress on me. I couldn't do the 20 things that I really wanted to do that I once was 21 doing. 22 Q. Right. And I think you said that went 23 on for at least three or four weeks thereafter? 24 A. After -- 25 Q. After you were let go. And I use the</p>

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<p>1 term -- you could say fired or not rehired or let 2 go. 3 A. Well, after I got terminated, that 4 stress went on for a long time. 5 Q. Okay. How long? 6 A. Probably until I got another job. 7 Because I didn't have any source of income to 8 really take care of my needs that I really wanted 9 to take care of. 10 Q. So that would have been until September 11 of '24? 12 A. Yes, sir. Somewhere along that time. 13 Q. All right. Going into, you know, the 14 issues, your particulars. I'm going to be looking 15 at things, and I can let you see them if you need 16 them. 17 A. Yes, sir. 18 Q. But I'll start with the complaint. And 19 because every person in the complaint has their 20 section, and yours is first. So, I've got 21 paragraphs 15 to almost 100 that we'll be going 22 through with everybody. But starting with you, 23 because you're the first one up in the complaint 24 -- 25 A. Yes, sir.</p>	<p>1 A. Oh, that had been some years ago. 2 Q. Yes, ma'am. 3 A. It has been. 4 Q. Okay. And how long have you been 5 lieutenant by the end of '23? 6 A. By the end of '23, I may have been 7 lieutenant maybe over 8 to 10 years, probably over 8 10 years. 9 Q. Okay. And that job paid 18 to 19 per 10 hour? 11 A. No. 12 Q. How much did lieutenant pay? 13 A. It was before then -- see, I first 14 started off as a correction officer. 15 Q. Correct. 16 A. And I moved up to sergeant. 17 Q. Correct. 18 A. Then I moved to up lieutenant. When I 19 was the lieutenant I think I had moved up to about 20 16, \$17. 21 Q. Okay. 22 A. That was with the raise that he had 23 given us the month before I got terminated. 24 Q. Okay. So when you say the raise he, 25 "he" being Sheriff Bailey?</p>
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<p>1 Q. -- you began work at the facility on 2 April of '97? 3 A. Yes, sir. 4 Q. And looks like Peter Walker was the 5 sheriff at that time? 6 A. Yes, sir. 7 Q. And he served, as I understand it, until 8 -- would have been 2019 was the election for him. 9 Because he would have come on in -- because state 10 officers are elected the year before the 11 presidentials, like '23. 12 A. Yes, sir. 13 Q. So he was on until 2019? 14 A. Yes, sir. 15 Q. Okay. And at that point, that's when 16 Sheriff Bailey came in? 17 A. Yes, sir. 18 Q. Okay. And did you work for anyone in 19 that particular campaign, the 2019 campaign, 20 whether it be Peter Walker or Sheriff Bailey? 21 A. No. 22 Q. All right. And at some point -- in 23 paragraph 17 it says, "Carolyn Smith was promoted 24 to sergeant and later promoted to lieutenant." 25 When did you make sergeant?</p>	<p>1 A. Sheriff Bailey. 2 Q. Gotcha. Okay. 3 And coming down to paragraph -- and a 4 lot of this, lawyers writeup so we don't have to 5 ask about it so we can get to the lick-log. 6 A. Yes, sir. 7 Q. Paragraph 32, "May 21, 2023, Ms. Smith 8 attended a town hall community forum where 9 everyone" -- because every candidate for elective 10 office in Jefferson County, Mississippi attended. 11 You recall going to that forum or town hall? 12 A. When was it, May when? 13 Q. May 21st? 14 A. I think it was around May 2nd or 15 something. It was on a Tuesday night. 16 Q. Okay. 17 A. I want to say May 2nd or May 5th. It 18 was on a Tuesday night. 19 Q. Gotcha. 20 And if I read that paragraph correctly, 21 that was like an all candidates forum? 22 A. Yes, sir. 23 Q. Did all the candidates for sheriff show 24 up to your knowledge, or do you remember? 25 A. Yes, sir.</p>

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<p>1 Q. All right. Now, at that particular</p> <p>2 meeting -- and we'll say May 2nd, that's what you</p> <p>3 were saying -- do you recall saying anything for</p> <p>4 any candidates in that one or you were there just</p> <p>5 to be there and watch?</p> <p>6 A. I was just there to support. Because it</p> <p>7 was a town hall meeting that was held in my</p> <p>8 district, and I was just there to listen to</p> <p>9 candidates.</p> <p>10 Q. Gotcha.</p> <p>11 Now, we just finished municipal</p> <p>12 elections, and I'm sure Fayette had its elections</p> <p>13 too, and so we had those town halls all over Gulf</p> <p>14 Coast.</p> <p>15 A. Yes, sir.</p> <p>16 Q. And so it says on paragraph 33, "On</p> <p>17 May 31st of 2023, Sheriff Bailey called Carolyn</p> <p>18 Smith" -- in other words, you -- "into his office</p> <p>19 and impliedly threatened to take adverse</p> <p>20 employment action against her because he said he</p> <p>21 heard you're not for me."</p> <p>22 A. Yes.</p> <p>23 Q. Tell me what happened.</p> <p>24 A. On the day after the town hall meeting,</p> <p>25 the next morning at about 8:30 or 9:00 I was</p>	<p>1 because it says May 31st, but it sounds like this</p> <p>2 was the day after the town hall meeting that</p> <p>3 Sheriff Bailey called you in?</p> <p>4 A. It was after the town hall meeting, that</p> <p>5 day. I don't think it was that far down in May.</p> <p>6 Because it was held in my community of Union</p> <p>7 Church.</p> <p>8 Q. Right. Okay.</p> <p>9 Was anyone in that meeting other than</p> <p>10 him and you?</p> <p>11 A. No, sir.</p> <p>12 Q. Okay. Did anybody take an audio or -- I</p> <p>13 know there wasn't no video. But any audio or</p> <p>14 anybody take any notes at the time?</p> <p>15 A. No, sir.</p> <p>16 Q. Okay. When that occurred on May 3rd,</p> <p>17 Ms. Smith, did you mention that to anyone else at</p> <p>18 the time, that hey, whether it be a supervisor or</p> <p>19 the Secretary of State or anybody saying I've got</p> <p>20 a sheriff that I work for that is, I feel --</p> <p>21 that's asking me, you know, am I supporting him</p> <p>22 and I've got to have people who support me. Did</p> <p>23 you remember talking to anybody about that?</p> <p>24 A. I didn't call anyone at a Secretary of</p> <p>25 State office. I went back and I talked to my</p>
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<p>1 called into Sheriff Bailey's office. I think</p> <p>2 Ms. Kolenberg(phonetic), she called back and she</p> <p>3 said Sheriff Bailey wanted to see you in his</p> <p>4 office.</p> <p>5 Q. Gotcha.</p> <p>6 A. Upon arriving in his office, he said</p> <p>7 take a seat. And I said yes, sir. He said I'm</p> <p>8 hearing the community people saying that you're</p> <p>9 not supporting me.</p> <p>10 Q. Okay.</p> <p>11 A. I said I don't get into election until</p> <p>12 it's my time to get into my own election. He said</p> <p>13 well, I can't have nobody on my team that's not a</p> <p>14 supporter of me.</p> <p>15 Q. Okay.</p> <p>16 A. He also asked me on that last night,</p> <p>17 which was the town hall meeting, "Who did you talk</p> <p>18 to on your phone, who did you call?" I think I</p> <p>19 told him it must have been -- I recall talking to</p> <p>20 my mom. He said, "Who else did you call?" Then</p> <p>21 that's when I told him this was my personal phone.</p> <p>22 It's not Jefferson phone. I didn't think that I</p> <p>23 owe him an explanation of who I talked to</p> <p>24 personally on my own cellphone.</p> <p>25 Q. Okay. Now, in this conversation --</p>	<p>1 supervisor about the conversation that I had with</p> <p>2 Sheriff Bailey.</p> <p>3 Q. And who was that?</p> <p>4 A. Clifton Kaho.</p> <p>5 Q. And what did he say?</p> <p>6 A. He wanted to know why would he call you</p> <p>7 to talk to you about that. I said I don't know.</p> <p>8 Because he was saying that -- I said he told me</p> <p>9 that he didn't need nobody on his team that was</p> <p>10 not going to support him.</p> <p>11 Q. Okay. Let me ask you a question very</p> <p>12 closely on that phrase. "He didn't need anyone on</p> <p>13 his team that did not support him." Did he use</p> <p>14 the term "support his election?"</p> <p>15 A. Well, that's basically what he was</p> <p>16 talking about, supporting his election.</p> <p>17 Q. I understand. I understand that's what</p> <p>18 you picked it up from. But I'm trying to get as</p> <p>19 exact words as possible as to what the sheriff</p> <p>20 said to you about "I need everybody on my team</p> <p>21 that's supporting." Did he use the term</p> <p>22 "supporting me" or "supporting me in my election?"</p> <p>23 A. It's supporting me in my election</p> <p>24 because I don't need know backbiters.</p> <p>25 Q. All right. And you basically told</p>

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<p>1 Warden Kaho that the sheriff had come and asked</p> <p>2 basically asked about your participation?</p> <p>3 A. Yes, sir.</p> <p>4 Q. And that he basically said, I don't need</p> <p>5 anybody that will not support me in my election?</p> <p>6 A. Yes, sir.</p> <p>7 Q. And then you've already told me what</p> <p>8 Warden Kaho said. Was there anything that was</p> <p>9 done with that?</p> <p>10 A. No, sir.</p> <p>11 Q. Did you double-back to Warden Kaho and</p> <p>12 say look, I didn't hear back from you, what's</p> <p>13 going on?</p> <p>14 A. I didn't.</p> <p>15 Q. Did the sheriff say anything else</p> <p>16 between that encounter in December of '23 about</p> <p>17 the election to you?</p> <p>18 A. Yes, sir, I've had several meetings.</p> <p>19 Q. All right. Well, let's discuss the next</p> <p>20 meeting after that. When was that?</p> <p>21 A. The next meeting that I had with him, we</p> <p>22 had to redo our applications.</p> <p>23 Q. Okay.</p> <p>24 A. I never got an interview.</p> <p>25 Q. Okay. All right.</p>	<p>1 Q. Do you know who the inmate was?</p> <p>2 A. McCullom. His last name was a McCullom.</p> <p>3 Q. Okay. All right. So where I'm going is</p> <p>4 on May -- some time a couple of days or a few days</p> <p>5 after the first -- the town hall, you had the</p> <p>6 discussion with Sheriff Bailey, what was the next</p> <p>7 occasion which you had to speak with Sheriff</p> <p>8 Bailey regarding your job or that election?</p> <p>9 A. If you said that was in May. I've had</p> <p>10 several encounters with him maybe in July.</p> <p>11 Q. Okay.</p> <p>12 A. July, coming up to it. Because it was</p> <p>13 still, everybody was saying that I was going to be</p> <p>14 terminated. Each time that I've gone to him and</p> <p>15 I've talked to him, he told me I don't know where</p> <p>16 you're getting your information from. That's not</p> <p>17 true. I never said anyone was getting fired. He</p> <p>18 said I only asked you-all to redo your application</p> <p>19 for the same reason. Four years ago everybody</p> <p>20 else did their -- all of you-all reapplied for</p> <p>21 your job. He said I never had any intention of</p> <p>22 getting rid of anyone.</p> <p>23 Q. Okay.</p> <p>24 A. Numerous occasions he have told me that.</p> <p>25 Q. Okay.</p>
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<p>1 Now -- I didn't want to cut you off, but</p> <p>2 I was asking as far as what was the month and</p> <p>3 year, if you can say, of the next time you spoke</p> <p>4 with Sheriff Bailey about reapplying or keeping</p> <p>5 your job?</p> <p>6 A. Well, when the rumors got out that --</p> <p>7 from the community, the people said that you are</p> <p>8 going to be terminated. I went several times to</p> <p>9 speak with him, call him and ask him for a meeting</p> <p>10 to talk to him about that. I've even talked to</p> <p>11 him and asked him about an inmate family member</p> <p>12 called me one day -- she was checking on her</p> <p>13 husband, and she called me and she said oh -- I</p> <p>14 answered the phone. And she said oh, you're still</p> <p>15 employed. I say why would you say that. She</p> <p>16 said, well, I spoke with Sheriff Bailey about that</p> <p>17 you was going to be gone, you and your niece.</p> <p>18 Just give him a little time, y'all will be gone.</p> <p>19 Q. And who that was lady?</p> <p>20 A. She was an inmate's wife.</p> <p>21 Q. Okay. And what was her name?</p> <p>22 A. I can't think of her name right now.</p> <p>23 Q. Okay.</p> <p>24 A. I really can't. I should have written</p> <p>25 it down.</p>	<p>1 A. I've gone in Sheriff Bailey's office at</p> <p>2 least about three or four times to discuss whether</p> <p>3 he was going to fire me.</p> <p>4 Q. Right.</p> <p>5 A. You know, because it was so many --</p> <p>6 people knows me in the street and they would tell</p> <p>7 me, you know, what he's saying.</p> <p>8 Q. Okay.</p> <p>9 A. And I noticed that there was a change in</p> <p>10 my sheriff, because you're the leader of my county</p> <p>11 and I have a position in your office. You will</p> <p>12 need things to come and ask me. But when you come</p> <p>13 over there to see things, you will walk in and you</p> <p>14 never speak to me. I could see you out and you</p> <p>15 never would speak to me.</p> <p>16 Q. Okay. I will sort of tell you where I'm</p> <p>17 coming from. Because if we go to trial, Carroll</p> <p>18 will be asking -- because Carroll's good at this,</p> <p>19 he's going to be asking you please tell me each</p> <p>20 and every occasion that you spoke with the sheriff</p> <p>21 and what he had said about the election or your</p> <p>22 job.</p> <p>23 A. Yes, sir.</p> <p>24 Q. And so that's kind of what I'm doing,</p> <p>25 because I've got to prepare a defense and let</p>

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<p>1 everybody know. And so, you've mentioned several</p> <p>2 occasions. If I were to break this down month by</p> <p>3 month between May of '23 and December of '23,</p> <p>4 would that help? Because what I'm looking for are</p> <p>5 dates and who was in the room, and what was said</p> <p>6 by each party on each one of those occasions where</p> <p>7 he brings up what you had to say.</p> <p>8 A. Each time that I've gone into his office</p> <p>9 it's only been me and him.</p> <p>10 Q. Okay.</p> <p>11 A. It was no one else taking notes. It was</p> <p>12 always me and him. Either any time that he calls</p> <p>13 you in his office for anything, it would only be</p> <p>14 just him in the office with you.</p> <p>15 Q. Okay. And we'll kind of -- we'll start</p> <p>16 this way. Between May of the first meeting that</p> <p>17 we talked after the town hall, and December 31st</p> <p>18 of 2023, on how many occasions do you recall him</p> <p>19 talking to you about your support for someone else</p> <p>20 and/or the job?</p> <p>21 A. About five times I've gone to him. I</p> <p>22 can't say what month, but I just know that it was</p> <p>23 all about five times that I've had to call and ask</p> <p>24 him can I meet with him about certain things that</p> <p>25 I was hearing in the streets about my job, my</p>	<p>1 Q. Okay. And that's exactly how he put it?</p> <p>2 A. That's exactly how he said it.</p> <p>3 Q. Okay. And you took that to mean the</p> <p>4 election?</p> <p>5 A. The election, and he was going to</p> <p>6 terminate.</p> <p>7 Q. Did he say he was going to terminate</p> <p>8 you?</p> <p>9 A. He didn't say it exactly. But the terms</p> <p>10 of him telling me that "I don't need nobody on my</p> <p>11 team that's not supporting me," that's -- as me as</p> <p>12 being an elected official, that's what I would</p> <p>13 think it would be.</p> <p>14 Q. But I'm trying to get as exact as</p> <p>15 possible what the words were. And the reason</p> <p>16 being is if we go to trial and you say that and</p> <p>17 there's something different, if I didn't ask these</p> <p>18 questions I'd kind of be out in left field. So, I</p> <p>19 want to make sure as best you recall this is how</p> <p>20 he put it?</p> <p>21 A. That is how he put it.</p> <p>22 Q. Got it.</p> <p>23 And then you understood it the way you</p> <p>24 described it?</p> <p>25 A. Yes, sir.</p>
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<p>1 employment. I've even told him that my job --</p> <p>2 this job is where I make my living. This is my</p> <p>3 life here. And I say any other -- all of our</p> <p>4 coworkers here, because a lot of them that was</p> <p>5 there, a lot of those people were living from</p> <p>6 paycheck to paycheck. Because I can attest they</p> <p>7 was not making the money that I was probably</p> <p>8 making. Some of them was less.</p> <p>9 Q. Okay.</p> <p>10 A. And I've spoke to him on numerous -- I</p> <p>11 don't know the exact date, but I've gone to him</p> <p>12 several times.</p> <p>13 Q. Okay. And you mentioned five times?</p> <p>14 A. Yes.</p> <p>15 Q. Is that a good number?</p> <p>16 A. Yes, sir.</p> <p>17 Q. We'll go at it kind of this way. Within</p> <p>18 those five occasions, is there anything that he</p> <p>19 said or you said that was different than this</p> <p>20 first one, which is "I hear you're not supporting</p> <p>21 me," "I need people to support me"?</p> <p>22 A. He told me that if I -- if we cannot --</p> <p>23 if I can't get my act together in supporting him,</p> <p>24 that he didn't need nobody on his team that was</p> <p>25 against him.</p>	<p>1 Q. Yes, ma'am. Okay.</p> <p>2 Is there anything else in those</p> <p>3 conversations that you can recall that he might</p> <p>4 have said?</p> <p>5 A. I had gone to a funeral one time. And</p> <p>6 as acquainted with other sheriff and long as I've</p> <p>7 been in the building, I've had the opportunity to</p> <p>8 talk to sheriffs all over the state of</p> <p>9 Mississippi. At one funeral I had an encounter to</p> <p>10 run into Sheriff Patton of Adams County. And he</p> <p>11 and I sat together. And after the services,</p> <p>12 didn't think of nothing, because even Shawn Jones,</p> <p>13 I've had the opportunity to work in the prison</p> <p>14 with him for several years before he went to state</p> <p>15 trooper school.</p> <p>16 He asked Sheriff Patton -- we took a</p> <p>17 picture together and Mr. Jones at a funeral.</p> <p>18 Sheriff Bailey was there. He asked me about why</p> <p>19 did you take a picture with them at the funeral.</p> <p>20 I said these are people I've been knowing for</p> <p>21 years. It doesn't mean anything.</p> <p>22 Q. Okay.</p> <p>23 A. Sheriff Patton is a person that I</p> <p>24 changed his Pamper. I held him on my side for</p> <p>25 many years. Being acquainted with his mother --</p>

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<p>1 was my manager of my group. So I basically knew</p> <p>2 these guys from day one, birth one.</p> <p>3 Q. Right.</p> <p>4 A. I didn't have any reason that if you</p> <p>5 asked me to take a picture -- it wasn't nothing.</p> <p>6 Q. Right. Did Sheriff Bailey say anything</p> <p>7 about that?</p> <p>8 A. Yes, sir, he did.</p> <p>9 Q. What did he say?</p> <p>10 A. He asked me, he said the day at the --</p> <p>11 well, he mentioned -- this is how he say, "The day</p> <p>12 at J.L. Hammet's mother funeral I saw you take a</p> <p>13 picture with Sheriff Patton and Jones. What was</p> <p>14 that about?" I said, it wasn't nothing, it was</p> <p>15 just a picture.</p> <p>16 Q. Right.</p> <p>17 A. I said, these guys -- Jones, I worked</p> <p>18 with for years in the prison. Sheriff Patton,</p> <p>19 basically, if you would talk with him he will tell</p> <p>20 you I'm his auntie. Because that's how close we</p> <p>21 were. You know, I said it really didn't mean</p> <p>22 nothing. It was just people I knew.</p> <p>23 Q. Gotcha.</p> <p>24 And what did he say in response?</p> <p>25 A. Well, he didn't like it.</p>	<p>1 Union Church, Mississippi. Didn't interact with</p> <p>2 my own family with my being there. Didn't speak</p> <p>3 or talk with me there.</p> <p>4 Q. What did you -- or did you really do</p> <p>5 anything for anybody's campaign?</p> <p>6 A. No, sir, I didn't do anything.</p> <p>7 Q. Because if you attended town halls, and</p> <p>8 there might be a couple of them, you were just</p> <p>9 there to watch everybody?</p> <p>10 A. I was just there to watch.</p> <p>11 Q. And, you know, he did ask you if you</p> <p>12 would support him and you were basically that's my</p> <p>13 business?</p> <p>14 A. I told him I'm going to vote, but I</p> <p>15 didn't say who I was going to vote for.</p> <p>16 Q. Right. And so in your mind he just</p> <p>17 assumed that it was going to be Shawn or somebody</p> <p>18 else?</p> <p>19 A. Right.</p> <p>20 Q. Got it. After the election -- well,</p> <p>21 strike that.</p> <p>22 After December of '23, did Sheriff</p> <p>23 Bailey tell you anything directly about what</p> <p>24 happened?</p> <p>25 A. I never spoke with him. After I got my</p>
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<p>1 Q. Well, what did he say?</p> <p>2 A. He said it was like disrespecting me as</p> <p>3 your sheriff and disrespecting me as you working</p> <p>4 for me.</p> <p>5 Q. Okay. And when was that?</p> <p>6 A. That was -- it was one of the times -- I</p> <p>7 can't -- I know the Hammet's mother passed away,</p> <p>8 it was in '23. It was before election.</p> <p>9 Q. Gotcha.</p> <p>10 And when we say "before election," are</p> <p>11 we talking primary election or general election?</p> <p>12 A. The primary election.</p> <p>13 Q. Because I'm guessing in Jefferson County</p> <p>14 the democratic primary election is the election?</p> <p>15 A. Yes, sir.</p> <p>16 Q. Got it. All right.</p> <p>17 Anything else that you can recall</p> <p>18 Sheriff Bailey saying to you about your job or</p> <p>19 your participation in his campaign prior to</p> <p>20 December of '23?</p> <p>21 A. Nothing that I could recall. Because,</p> <p>22 actually, after those meetings he shut down and</p> <p>23 stopped talking and speaking to me.</p> <p>24 Q. All right.</p> <p>25 A. He even came to my family reunion out in</p>	<p>1 letter -- once I got my letter on December -- I</p> <p>2 think it was December the 31st. When a deputy</p> <p>3 delivered my letter, he said you can -- but the</p> <p>4 deputy told me he had a letter for me. He said,</p> <p>5 Sheriff said do not give you this letter if you</p> <p>6 don't sign for it. I said, well, I will have</p> <p>7 to -- I'm going to read things before I sign for</p> <p>8 it. He said you've got to sign for it. I said I</p> <p>9 will not sign it.</p> <p>10 Q. Okay.</p> <p>11 A. So the deputy said well, okay,</p> <p>12 Ms. Smith, I'll let you read the letter and you</p> <p>13 will sign it. So, he gave me the letter and I</p> <p>14 read the letter. I did not sign it.</p> <p>15 Q. Okay. And when he said, or the deputy</p> <p>16 said sign, it was just signed for receipt of it</p> <p>17 like a certified receipt letter or --</p> <p>18 A. It's signed that I agreed to that I got</p> <p>19 the letter.</p> <p>20 Q. Okay. All right. I got it.</p> <p>21 And so -- and nevertheless, you got the</p> <p>22 letter, you didn't sign for it, and Sheriff Bailey</p> <p>23 never talked to you about it?</p> <p>24 A. He never talked to me. I never called</p> <p>25 him.</p>

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<p>1 Q. Gotcha.</p> <p>2 Did you file a grievance?</p> <p>3 A. I did.</p> <p>4 Q. With whom?</p> <p>5 A. From where in the facility that we</p> <p>6 worked, if an employee has a grievance matter, you</p> <p>7 will file that grievance with your supervisor.</p> <p>8 Q. Right. And that would have been the</p> <p>9 chief of security?</p> <p>10 A. That would have been -- or Warden</p> <p>11 Kaho -- well, the chief of the security, which</p> <p>12 would have been Henry Felton.</p> <p>13 Q. Right. Was he a major?</p> <p>14 A. He was a major then.</p> <p>15 Q. All right. And then what, if anything,</p> <p>16 happened as a result of your filing the grievance?</p> <p>17 A. Well, it didn't go through the proper</p> <p>18 way. Because initially, when I tried to tell the</p> <p>19 board of supervisors how I supposed to file my</p> <p>20 grievance, they told me that you are supposed to</p> <p>21 file your grievance with the sheriff. I said</p> <p>22 that's not the facility protocols, because why</p> <p>23 would I file the grievances and give it to the</p> <p>24 person that I'm filing the grievances on. It</p> <p>25 should have gone to my immediate supervisor and</p>	<p>1 contraband that had been thrown over a wire?</p> <p>2 A. No, sir.</p> <p>3 Q. Okay. Do you recall being in a room</p> <p>4 with your niece, who's here, Ms. McComb?</p> <p>5 A. Yes, sir.</p> <p>6 Q. How did that -- and so tell me how that</p> <p>7 went. Just, generally, from first to last, what</p> <p>8 do you recall?</p> <p>9 A. Just randomly whenever he had -- must</p> <p>10 have had -- well, he had her in a meeting over</p> <p>11 there. The phone rang. He called me, said Ms.</p> <p>12 Smith, I need you in a meeting over here. So, I</p> <p>13 got up to go over to his desk, over to his office,</p> <p>14 to see what the meeting was about. He</p> <p>15 interacting, putting me something I had nothing --</p> <p>16 no recollection of what was going on. He told me,</p> <p>17 he say, well, I got your niece in here. He say</p> <p>18 Ms. McComb was -- contraband came over the fence.</p> <p>19 And the inmates told him the contraband was</p> <p>20 supposed to have been -- she was supposed to catch</p> <p>21 the contraband. But I said Sheriff, that's a day</p> <p>22 that she wasn't at work. You know, that didn't</p> <p>23 add up to make very much sense. If she was going</p> <p>24 to have contraband to come in, why would you have</p> <p>25 contraband to come in on a day that you're not at</p>
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<p>1 worked its way up the ladder to the sheriff.</p> <p>2 So, times went on by and we did file a</p> <p>3 grievance -- well, I did file a grievances. I</p> <p>4 gave it to -- Henry Felton, at the time, was a</p> <p>5 major. And he told me he would get back with me.</p> <p>6 After weeks and months went by, Ms. Roberson, a</p> <p>7 lady that had gotten there, she said let her --</p> <p>8 she had to read the policy to see how the</p> <p>9 grievances go. So she told me that -- she called</p> <p>10 me back and she said Ms. Smith, I'm going to</p> <p>11 certify letter you another grievances because the</p> <p>12 one that y'all did, it wasn't done right. She</p> <p>13 said it was just like you said, it were supposed</p> <p>14 to have gone to Major Felton. She said but I'm</p> <p>15 going to give you an opportunity to do another</p> <p>16 one. She sent it out. At that time, I had hired</p> <p>17 a counsel.</p> <p>18 Q. So, I guess the end result of that was</p> <p>19 you got a second form. But at that point, you had</p> <p>20 Carroll?</p> <p>21 A. Because a grievance has to be filed</p> <p>22 within the 10 days of your termination.</p> <p>23 Q. Right. Gotcha. Okay.</p> <p>24 Now, are you familiar with an incident</p> <p>25 in January of '23, around January 23rd, with some</p>	<p>1 work?</p> <p>2 Q. How did you know she was not at work if</p> <p>3 she's not in your line?</p> <p>4 A. Because I'm the lieutenant at the</p> <p>5 prison. Any time that a person is out or not</p> <p>6 coming to work, their supervisor will bring the</p> <p>7 form up to me and say hey, Ms. Smith or --</p> <p>8 Shaquita McComb didn't come to work or she wasn't</p> <p>9 at work. During that time I think she was at work</p> <p>10 but she had gotten off. Her shift had ended.</p> <p>11 Q. Okay.</p> <p>12 A. The contraband came after she had gone</p> <p>13 home. So I asked him if the contraband came after</p> <p>14 she had gone home, how can you say it was for her</p> <p>15 and another person that was on duty had already</p> <p>16 arrived.</p> <p>17 Q. Okay.</p> <p>18 A. He said, because the inmate told me.</p> <p>19 Q. Right. How did you know when, exactly,</p> <p>20 the contraband had been thrown on the wire that</p> <p>21 got hooked onto it?</p> <p>22 A. When the sheriff called and told me</p> <p>23 about it in a meeting. I didn't know anything</p> <p>24 about it.</p> <p>25 Q. Because that's what I'm trying to get</p>

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<p>1 at. He was saying that an inmate had told him</p> <p>2 that Ms. McComb was involved in an incident where</p> <p>3 contraband was thrown over a wire?</p> <p>4 A. Uh-huh. (Affirmative response.)</p> <p>5 Q. You indicated that it didn't happen at a</p> <p>6 time when it she was on duty?</p> <p>7 A. Yeah, that's what I was trying to</p> <p>8 understand, why did it come -- if it was for</p> <p>9 her --</p> <p>10 Q. Right.</p> <p>11 A. -- why didn't it come while she was at</p> <p>12 work if she was supposed to catch it?</p> <p>13 Q. When was it thrown over the wire?</p> <p>14 A. After she had gone home, sometime late</p> <p>15 that evening or that night.</p> <p>16 Q. Okay.</p> <p>17 A. She worked at a day shift. And that was</p> <p>18 my question to him. If it was for Ms. McComb</p> <p>19 working on a day shift, why would you schedule a</p> <p>20 package to come in when you're gone home.</p> <p>21 Q. Okay. Who mentioned when it was thrown</p> <p>22 over the wire?</p> <p>23 A. Sheriff Bailey did.</p> <p>24 Q. All right. So he was claiming that it</p> <p>25 was thrown over at night?</p>	<p>1 skipped over her supervisor and came directly to</p> <p>2 me. He skipped over the major, the captain, the</p> <p>3 warden and the deputy warden. But you came</p> <p>4 directly to me and you came directly to me</p> <p>5 because, I guess, she was my niece.</p> <p>6 Q. Well, you're the second tier supervisor</p> <p>7 over her, as I understand the chain of command.</p> <p>8 She was in section -- shift B or shift A?</p> <p>9 A. What shift was that? I think it was</p> <p>10 shift B. I think it was B shift.</p> <p>11 Q. And there would be a shift commander for</p> <p>12 the facility for -- that was her direct</p> <p>13 supervisor?</p> <p>14 A. She had a -- direct supervisor was</p> <p>15 Sergeant Walters.</p> <p>16 Q. Very good. And you, as lieutenant, were</p> <p>17 over Sergeant Walters?</p> <p>18 A. Yes, sir.</p> <p>19 Q. And then you reported to chief of</p> <p>20 security, at that time, Major Felton?</p> <p>21 A. Well, after I came back. Because I</p> <p>22 really didn't know what I was going over to the</p> <p>23 meeting for.</p> <p>24 Q. Well, I'm looking at chain of command on</p> <p>25 the organizational chart. So on that day it would</p>
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<p>1 A. It was thrown over in the evening shift.</p> <p>2 It was.</p> <p>3 Q. Okay. Now, I'm going to ask you this:</p> <p>4 I hear you saying that Sheriff Bailey told you</p> <p>5 that it had been thrown over at night.</p> <p>6 A. Right.</p> <p>7 Q. Do you have any independent recollection</p> <p>8 outside of what he told you as to when it was</p> <p>9 thrown over?</p> <p>10 A. Of any outside?</p> <p>11 Q. Sure.</p> <p>12 Other than Sheriff Bailey saying that,</p> <p>13 did you have any other information that supported</p> <p>14 that it had been thrown over at night?</p> <p>15 A. I think that if our -- once we get on</p> <p>16 down into it, if I can say her name, Ms. Sanders,</p> <p>17 she was on duty that night when it came in. And</p> <p>18 if I'm not mistaken, Ms. Sanders was over there --</p> <p>19 over on that side.</p> <p>20 Q. Okay.</p> <p>21 A. That was at the sheriff department side</p> <p>22 in the back county jail. Basically, I work over</p> <p>23 at the prison. I go over there only if they need</p> <p>24 me to go over there to supervise something. She</p> <p>25 has an immediate supervisor that was on duty. He</p>	<p>1 have been the sergeant over Ms. McComb?</p> <p>2 A. Yes, sir.</p> <p>3 Q. From there, it would have been you?</p> <p>4 A. Yes, sir.</p> <p>5 Q. And from there, it would have been</p> <p>6 Warden Felton as chief of security -- not warden,</p> <p>7 but Major Felton?</p> <p>8 A. We had a captain. It would have been</p> <p>9 the captain, which was Captain Duveaux(phonetic).</p> <p>10 From Captain Duveaux, it would have went up to</p> <p>11 Major Felton. From Major Felton, it would have</p> <p>12 been to the warden -- or the deputy warden and</p> <p>13 then the warden.</p> <p>14 Q. Who was the -- the warden at the time</p> <p>15 was?</p> <p>16 A. Clifton Kaho was the warden at the time.</p> <p>17 Q. And Major Felton reported directly to</p> <p>18 him?</p> <p>19 A. No, Major Felton reported to a deputy</p> <p>20 warden, Deputy Warden Brenda Doss(phonetic).</p> <p>21 Q. And what was Deputy Warden Brenda Doss'</p> <p>22 rank?</p> <p>23 A. She was a deputy warden and she was the</p> <p>24 office manager.</p> <p>25 Q. Because when you look at the</p>

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<p>1 organizational chart, the office manager doesn't</p> <p>2 go between the chief of security. It's one of the</p> <p>3 ones in the horizontal line, of which chief of</p> <p>4 security's here and office manager's here.</p> <p>5 A. Yes, sir.</p> <p>6 Q. Case manager's on the other side.</p> <p>7 A. Yes, sir.</p> <p>8 Q. But what you're indicating is that in</p> <p>9 actuality, the office manager also functioned as</p> <p>10 another layer in the chain of command between the</p> <p>11 two?</p> <p>12 A. Yes, sir.</p> <p>13 Q. Okay. So do you know if the sheriff had</p> <p>14 talked to any of these people?</p> <p>15 A. I don't know.</p> <p>16 Q. All right. Fair enough.</p> <p>17 So you're in the meeting, and it turns</p> <p>18 out that the discussion is -- who brought the</p> <p>19 idea, or who brought the point up that this</p> <p>20 happened at night and Ms. McComb was working day</p> <p>21 shift?</p> <p>22 A. Well, Sheriff Bailey gave me the time</p> <p>23 that it was thrown over the fence.</p> <p>24 Q. Gotcha.</p> <p>25 A. He gave me the time that it was thrown</p>	<p>1 A. Yes, sir.</p> <p>2 Q. I was wondering -- the question would</p> <p>3 be, do you know when it was found?</p> <p>4 A. After she was gone home. On the next</p> <p>5 shift. It wasn't on her shift. It was on the</p> <p>6 next shift.</p> <p>7 Q. So some time during the night it was,</p> <p>8 both, thrown over and found?</p> <p>9 A. Yes, sir.</p> <p>10 Q. All right.</p> <p>11 As lieutenant -- well, we'll continue</p> <p>12 through.</p> <p>13 So, what happened after that discussion?</p> <p>14 Was that pretty much the end of it at that point?</p> <p>15 A. That was the end of it. I didn't hear</p> <p>16 anything else about it. I didn't -- you know, my</p> <p>17 question, if it was for her and you was the</p> <p>18 sheriff, why didn't you do action on -- take</p> <p>19 action on it right then and there, if you had all</p> <p>20 your information, you should have done action on</p> <p>21 it.</p> <p>22 Q. Well, let me ask a couple -- while we're</p> <p>23 relating on that point.</p> <p>24 So tell me what a lieutenant would do at</p> <p>25 the facility, because that's the role you had.</p>
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<p>1 over the fence. And I said Sheriff Bailey, well,</p> <p>2 McComb was gone home by then. He said well, the</p> <p>3 inmates said it was for her.</p> <p>4 Q. Okay. And then what happened?</p> <p>5 A. And he said well, I'm just going off</p> <p>6 what the inmates said, it's for her. I said well,</p> <p>7 if she's gone home and the other officer or the</p> <p>8 supervisor there that does a parameter check at</p> <p>9 night, they would have saw that -- the package</p> <p>10 wouldn't have stayed there until she gotten back</p> <p>11 the next morning. Because if you're doing your</p> <p>12 parameter every night of the facility, you're</p> <p>13 going to pick it up.</p> <p>14 Q. Okay. Do you know when it was found?</p> <p>15 A. I don't know.</p> <p>16 Q. Okay. All right.</p> <p>17 A. When it was found, as of the time, it</p> <p>18 was found after McComb was gone home.</p> <p>19 Q. I understand. But do you know if it was</p> <p>20 in the night or in the next morning?</p> <p>21 A. It was during that night. It didn't</p> <p>22 happen over in the next morning. It was during</p> <p>23 the course of that night after McComb had gotten</p> <p>24 off.</p> <p>25 Q. Okay. And that's when it was thrown.</p>	<p>1 What was your job function?</p> <p>2 A. As a lieutenant, my job was to -- first</p> <p>3 thing, maintain safety and control of all inmates.</p> <p>4 Q. All right.</p> <p>5 A. My job would be, I would go around, I</p> <p>6 would do a research of the zone, inspect</p> <p>7 everything, make sure that my officer, the</p> <p>8 correction officer -- well, they wasn't my</p> <p>9 immediate -- my supervisor -- if I went down and</p> <p>10 found something that was out of the ordinary, I</p> <p>11 will come back and I will have a meeting with the</p> <p>12 supervisor of that shift.</p> <p>13 Q. Right.</p> <p>14 A. And from that supervisor of that shift,</p> <p>15 I will do a report. And then I will go through</p> <p>16 the chain of command to get it to my captain. I</p> <p>17 will speak with my captain about it.</p> <p>18 Q. Right.</p> <p>19 A. And the captain will go on up the chain</p> <p>20 of command.</p> <p>21 Q. Okay.</p> <p>22 A. But at that prison I've had several</p> <p>23 roles. I was the lieutenant. My job was to -- on</p> <p>24 a day shift if an inmate rolled in or rolled out,</p> <p>25 a lot of time it was my responsibility to take</p>

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<p>1 them in and out of the system to put them to where 2 they was going. I was also over the clothing of 3 the inmates, to make sure that every six months 4 that they will get their issue. I will have to 5 keep up with the inventory of when I need to order 6 clothes, when I need to order shoes or underwear, 7 everything. I would report those order to the 8 young lady up front and tell her this is what 9 we're short of. 10 Just, basically, constantly doing 11 walk-throughs during the course of the day to make 12 sure that everything -- make sure -- my main thing 13 was to make sure that my count was clear. We had 14 a timeframe of my count should clear within no 15 more than seven or eight minutes. If it's 16 anything over the seven or eight months that I 17 couldn't get my count clear, then I would call 18 everybody in from their destination to send them 19 back to their dorm, do a head count by paper every 20 day. 21 Q. Right. And that's an inmate count that 22 you're referring to? 23 A. That's an inmate count, yes, sir. 24 Q. How many people directly, or indirectly, 25 were under you at the facility?</p>	<p>1 manager, who might have had a second hat as the 2 captain, Brenda Doss? 3 A. No, Brenda Doss was the deputy warden. 4 Q. Deputy warden. 5 A. The captain was Captain Michael Duveaux. 6 Q. So you reported to Captain Duveaux? 7 A. Yes, sir. 8 Q. And then he reported -- 9 A. -- to Major Henry Felton. 10 Q. Major Henry Felton, who was chief of 11 security? 12 A. He was the chief of security. 13 Q. So, he was a major, and he reported to 14 Brenda Doss? 15 A. Brenda Doss. 16 Q. Who was a captain? 17 A. She was a deputy warden. 18 Q. So she didn't have a rank? 19 A. She had a rank of deputy warden. She 20 was the office manager and the deputy warden. 21 Q. I'll let you see where I'm going. You 22 had lieutenant, then you reported to a captain, 23 who then reported to -- 24 A. No -- yes, I would report it to the 25 captain, the captain would report to the major,</p>
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<p>1 A. Just the supervisors. 2 Q. And how many COs did they have under 3 them? 4 A. It was hard to tell because some nights, 5 some days they will have two and three people on 6 shift. We never was staffed -- whenever they are 7 not there we couldn't staff it, I will have to 8 fill in the place of a correction officer to do 9 the thing that they did, walk around, count, 10 transport inmates to and from medical, transport 11 them to lunch or where they needed to go. 12 On a daily full shift, I would say it 13 would have taken at least 7 to 10 people to run a 14 shift. 15 Q. Okay. 16 A. And it never was that. 17 Q. Right. And while you didn't -- you were 18 basically over the supervisors, the shift 19 supervisors? 20 A. Yes, sir. 21 Q. And they, in turn, supervised the 22 correctional officers? 23 A. Yes, sir. 24 Q. And they reported to you. And as I 25 understand, you then reported to the office</p>	<p>1 the major would have reported to the deputy 2 warden, and the deputy warden would report to the 3 warden. Then the warden -- if they have to go any 4 further, the warden will report it to the sheriff. 5 Q. Got it. 6 Did anyone over the rank of major, which 7 would be Major Felton, have a rank, or after that 8 was just all title, like deputy warden, warden and 9 sheriff? 10 A. That's all we had there. 11 Q. Got it. 12 Other than office manager -- well, we'll 13 start with Captain Duveaux, because that's who you 14 reported to? 15 A. Yes, sir. 16 Q. What was his title? 17 A. He was the captain. 18 Q. Okay. 19 A. He was the dietician. 20 Q. Okay. 21 A. And -- well, I wouldn't say -- well, 22 dietician because -- his office was in the 23 kitchen. He was responsible for ordering the 24 food, make sure the inmate measure up the food, 25 serve the right amount of food, check in trucks</p>

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<p>1 that comes in, and he was the one that order food.</p> <p>2 Q. All right. And was he in charge of</p> <p>3 security?</p> <p>4 A. At times, he were. That should have</p> <p>5 been his major job as a captain, to be in</p> <p>6 security, but he had several hats to wear and</p> <p>7 other jobs to do.</p> <p>8 Q. Got it.</p> <p>9 If there was a problem that you needed</p> <p>10 help in resolving within the facility that related</p> <p>11 to security, contraband, those kinds of things,</p> <p>12 you would report your concerns to him?</p> <p>13 A. I was supposed to report everything to</p> <p>14 him. But he was a captain that didn't come out of</p> <p>15 the kitchen so I will have to go over to Major</p> <p>16 Felton or my warden. Those were the peoples that</p> <p>17 would help me out. Because we had a captain that</p> <p>18 was on duty, but his major job was in the kitchen.</p> <p>19 He never helped us on the floor with anything.</p> <p>20 Q. I follow you.</p> <p>21 And I think you testified earlier you</p> <p>22 could also speak to the warden?</p> <p>23 A. Yes, sir.</p> <p>24 Q. Okay. And if you had concerns, you'd</p> <p>25 tell him, too, make sure he knew?</p>	<p>1 saw problems?</p> <p>2 A. Yes, sir.</p> <p>3 Q. Okay. And then you would, basically,</p> <p>4 inform the chain of command up the chain, this is</p> <p>5 what I did, so if you see --</p> <p>6 A. Yes, sir.</p> <p>7 Q. -- something different --</p> <p>8 A. Long as it was in the guidelines of</p> <p>9 MDOC, the policy.</p> <p>10 Q. And to your knowledge that was never a</p> <p>11 problem. No one ever said you can't do that?</p> <p>12 A. No, sir.</p> <p>13 Q. Got it.</p> <p>14 Did Sheriff Bailey get your advice</p> <p>15 and/or the advice of the shift supervisors at any</p> <p>16 particular time about particular issues, whether</p> <p>17 it be a microwave or water intrusion or some --</p> <p>18 the count didn't go out, anything like that?</p> <p>19 A. No, sir.</p> <p>20 Q. All right. Ms. Smith, I've got some</p> <p>21 medical records. I'm going to basically let --</p> <p>22 MR. CARPENTER: If you want to get a</p> <p>23 copy of those, Carroll, that will be perfectly</p> <p>24 fine. I'm just going to ask her some questions</p> <p>25 about medical records that we produced. But I can</p>
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<p>1 A. Yes, sir.</p> <p>2 Q. Fair enough.</p> <p>3 A. In my role as a lieutenant, there was</p> <p>4 nothing that I will have to go to the sheriff for.</p> <p>5 I will be stepping over the rest of them -- the</p> <p>6 change{sic} of command if I stepped over and went</p> <p>7 straight to the sheriff.</p> <p>8 Q. Right.</p> <p>9 But did you on occasion?</p> <p>10 A. No.</p> <p>11 Q. Okay. So if I understand what you're</p> <p>12 telling me -- because I understood that you spoke</p> <p>13 to the sheriff on numbers of times before you were</p> <p>14 finally -- before the end of December of '23. If</p> <p>15 I'm understanding at this point you're saying that</p> <p>16 if you ever had any concerns you would report,</p> <p>17 perhaps not the captain because he was holding a</p> <p>18 lot of hats, but you would let Major Felton know</p> <p>19 who then would either report it to the office</p> <p>20 manager/deputy warden or to Warden Kaho himself?</p> <p>21 A. Yes, sir. That was anything pertaining</p> <p>22 to inmates that I couldn't handle.</p> <p>23 Q. Got it.</p> <p>24 And did you have the ability to</p> <p>25 basically come up with solutions yourself if you</p>	<p>1 give you a chance to look at it first if you want</p> <p>2 to.</p> <p>3 MR. RHODES: I think Cheryl --</p> <p>4 MR. CARPENTER: Cheryl -- that's right.</p> <p>5 She sent them.</p> <p>6 MR. RHODES: I think she sent them to me</p> <p>7 so I won't hold up on trying to get a copy.</p> <p>8 MR. CARPENTER: No sweat.</p> <p>9 And what we'll do is we'll just make</p> <p>10 that -- we'll do notice of deposition as Exhibit 1</p> <p>11 and then this will be Exhibit 2.</p> <p>12 (Exhibit 1 marked for identification.)</p> <p>13 (Exhibit 2 marked for identification.)</p> <p>14 MR. RHODES: I went through these</p> <p>15 yesterday when Cheryl sent them. Are you going to</p> <p>16 have all of them?</p> <p>17 MR. CARPENTER: Sure. I'll make them</p> <p>18 collectively. That way it's easier than going</p> <p>19 page by page with exhibit numbers.</p> <p>20 MR. RHODES: Are those Bates numbers at</p> <p>21 the bottom?</p> <p>22 MR. CARPENTER: They do have numbers,</p> <p>23 and I'll refer to them. They have medical page</p> <p>24 numbers so we can use them. So I'll do that so</p> <p>25 that when we're looking at this down the road</p>

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<p>1 we'll be able to identify what they are.</p> <p>2 Q. (By Mr. Carpenter) Ms. Smith, I'm going</p> <p>3 to let you look at this as well. But what I have</p> <p>4 is -- as I understand it, the last day of your</p> <p>5 employment was December the 31st, 2023?</p> <p>6 A. Yes, sir.</p> <p>7 Q. I have a medical record from Jefferson</p> <p>8 Comprehensive Health Center.</p> <p>9 A. Yes, sir.</p> <p>10 Q. This is going to be dated January the</p> <p>11 3rd of 2024, so it would have been a few days</p> <p>12 after your last day of work. Do you recall going</p> <p>13 to the facility at that time?</p> <p>14 A. Yes, sir.</p> <p>15 Q. What do you recall going for?</p> <p>16 A. Anxiety, stress.</p> <p>17 Q. This is what I want you to look at.</p> <p>18 Were you depressed at the time?</p> <p>19 A. Depressed.</p> <p>20 Q. Do you recall filling out a depression</p> <p>21 screening?</p> <p>22 A. We didn't sign anything when we went</p> <p>23 there -- well, I didn't sign any depression screen</p> <p>24 when I went to see --</p> <p>25 Q. Do you recall anyone asking you about a</p>	<p>1 insurance. I could not afford to accumulate a</p> <p>2 bill that I couldn't afford to pay.</p> <p>3 Q. Right.</p> <p>4 A. This was the only primary insurance that</p> <p>5 I had. So I couldn't afford to go to see any</p> <p>6 psychiatrist or anything that they wanted me to go</p> <p>7 see.</p> <p>8 Q. Right.</p> <p>9 A. So both of those doctors gave medicine</p> <p>10 for depression. Dr. Bounds gave me some kind of</p> <p>11 psychotropic something that he said only take it</p> <p>12 at night. Because once you take it, in five</p> <p>13 minutes you'll be sleep.</p> <p>14 Q. Okay. I'm only focusing on this visit</p> <p>15 for January 3rd of 2024 for Crystal Cook. And I</p> <p>16 would agree with you, that form doesn't require</p> <p>17 signing. That's a depression intake form that --</p> <p>18 and by the way, for Jefferson Health Center, they</p> <p>19 do that every visit, as well as a respiratory,</p> <p>20 which is also there.</p> <p>21 A. Yes, sir.</p> <p>22 Q. Do you recall Nurse Cook asking you any</p> <p>23 questions about depression?</p> <p>24 A. Yes, sir.</p> <p>25 Q. Now, it indicates in the depression</p>
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<p>1 depression screening form?</p> <p>2 A. No, sir.</p> <p>3 Q. Okay. Because that indicates that there</p> <p>4 was -- that you had a total score of 0, that you</p> <p>5 were not feeling down, depressed or hopeless.</p> <p>6 A. What doctor is this from?</p> <p>7 Q. This would be with Crystal Cook?</p> <p>8 A. Crystal Cook. Do you have one from</p> <p>9 Turner?</p> <p>10 Q. I have one from Matthew K. Bounds, would</p> <p>11 be the next visit. Who would Turner be? Because</p> <p>12 these are the records from Jefferson</p> <p>13 Comprehensive.</p> <p>14 A. Okay. They're not saying that they put</p> <p>15 me on any medicine for depression or anything?</p> <p>16 Q. Well, we'll probably get to some of</p> <p>17 that. Because there are other records we'll roll</p> <p>18 through. I just basically wanted to see if you</p> <p>19 recall filling out a depression inventory, which</p> <p>20 they have on there?</p> <p>21 A. No, sir, I didn't sign any depression</p> <p>22 form. Only thing that -- when I went there and</p> <p>23 they asked me how do I feel and everything, they</p> <p>24 offered to send me to some place in Jackson. I</p> <p>25 told her this month was the last month of my</p>	<p>1 screening that you -- that in an answer to the</p> <p>2 question, little interest or pleasure in doing</p> <p>3 things, the response was not at all. And feeling</p> <p>4 down depressed or hopeless, it said not at all.</p> <p>5 But you don't recall actually telling her these</p> <p>6 things?</p> <p>7 A. No, sir.</p> <p>8 Q. All right. Do you recall her ever</p> <p>9 asking, or any intake nurse ever asking, you these</p> <p>10 questions when you went to Jefferson?</p> <p>11 A. She asked me how did I feel. I told her</p> <p>12 very depressed. Now she said, do you feel that</p> <p>13 you have the depression of wanting to do something</p> <p>14 to yourself or someone else. I said to myself,</p> <p>15 because this is the lowest I've ever been.</p> <p>16 Q. Right.</p> <p>17 Because in this particular medical note,</p> <p>18 there's nothing about depression or where you were</p> <p>19 saying you might -- you know, you might have</p> <p>20 suicidal, passive or active. And so that's why I</p> <p>21 was asking if you recall saying that on this</p> <p>22 particular occasion on January 3rd.</p> <p>23 A. Right.</p> <p>24 Q. There are other records, but for this</p> <p>25 one do you recall?</p>

16 (Pages 58 to 61)

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<p>1 A. Yes, I've told each -- both of them.</p> <p>2 Each when I've been to Dr. Turner, and I told to</p> <p>3 Dr. Cook.</p> <p>4 Q. And Dr. Cook, by the way, is a nurse;</p> <p>5 she's a family nurse prac --</p> <p>6 A. She a nurse practitioner.</p> <p>7 Q. Uh-huh. (Affirmative response.) You</p> <p>8 got it.</p> <p>9 A. Both of them.</p> <p>10 Q. All right. Because it does mention</p> <p>11 hypertension and that you were visiting her for a</p> <p>12 medication refill on January 3rd; do you recall --</p> <p>13 A. I did because my blood pressure pills</p> <p>14 had ran out.</p> <p>15 Q. Right. Okay. That's all I've got for</p> <p>16 that.</p> <p>17 A. Thank you.</p> <p>18 Q. You're welcome. That is Pages 39</p> <p>19 through 44 of 211 of your medical records.</p> <p>20 This is on January the 22nd of 2024.</p> <p>21 And this would be with Nurse Bounds at the Bounds</p> <p>22 Family Clinic. Do you recall telling him anything</p> <p>23 about depression?</p> <p>24 A. Yes, sir, I do.</p> <p>25 Q. Okay. I will say there's nothing in</p>	<p>1 a result of your being let go?</p> <p>2 A. Yes, sir. Because he asked me what was</p> <p>3 you depressed about. I said I just lost my job</p> <p>4 and not knowing where else to start at.</p> <p>5 Q. Gotcha.</p> <p>6 And did he recommend any medication</p> <p>7 specifically for depression?</p> <p>8 A. Yes. Whatever the medication that he</p> <p>9 give, I'm assuming that that's what it was for.</p> <p>10 Q. Do you recall anything else about that</p> <p>11 visit with Nurse Bounds?</p> <p>12 A. No, sir.</p> <p>13 Q. Fair enough.</p> <p>14 Now we're going to get to January the</p> <p>15 31st of 2024.</p> <p>16 MR. CARPENTER: And to put on this</p> <p>17 record, just in case, these records are numbered a</p> <p>18 little differently because they're coming from</p> <p>19 Bounds Family Medicine. So these pages would be</p> <p>20 19 to 21 of 50, which means there's 50 total</p> <p>21 pages.</p> <p>22 Q (By Mr. Carpenter) Now we're back to a</p> <p>23 Jefferson Comprehensive Heath Center medical note.</p> <p>24 This one's dated January 31st of 2024. And in</p> <p>25 this case you had a depression screening, and you</p>
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<p>1 this particular medical note about depression.</p> <p>2 But I want you to look at it first because I can</p> <p>3 overlook stuff, being 60 years old.</p> <p>4 A. (Reviewing.)</p> <p>5 Q. But you do recall telling Nurse Bounds</p> <p>6 that you were depressed?</p> <p>7 A. Yes, sir, I do.</p> <p>8 Q. And what did he tell you in response?</p> <p>9 A. He wrote me out a prescription that</p> <p>10 would give me sleep time. Because I told him I</p> <p>11 was not sleeping at all.</p> <p>12 Q. Because there's a lot of medications, as</p> <p>13 you can tell, down the list. Do you remember what</p> <p>14 the name of that medication was?</p> <p>15 A. I don't recall, but I can -- I mean I</p> <p>16 should have gone to my drug store and got it. But</p> <p>17 I do have some of my medicine here that I'm on.</p> <p>18 Q. Now, he did mention -- it does say</p> <p>19 insomnia, which is can't sleep?</p> <p>20 A. Yeah, I think that's what it was.</p> <p>21 Q. And you had mentioned -- or he had</p> <p>22 prescribed something called Zopiclone. Does that</p> <p>23 sound familiar?</p> <p>24 A. Yes, sir.</p> <p>25 Q. But you were clear with him this was as</p>	<p>1 were seeing -- this would have been with Nurse</p> <p>2 Turner. Do you recall LaKeitha Turner?</p> <p>3 A. Yes, sir.</p> <p>4 Q. All right. And in this case, this is a</p> <p>5 depression screening. Do you recall filling that</p> <p>6 particular one out?</p> <p>7 A. I remember she's asking me a question</p> <p>8 about depression and stuff like that and how I</p> <p>9 feel.</p> <p>10 Q. Did you mention any suicidal thoughts?</p> <p>11 A. I told her sometime I thought about it.</p> <p>12 Q. Okay.</p> <p>13 A. But I didn't know whether I would do it</p> <p>14 or not.</p> <p>15 Q. Okay. Now, when these -- because</p> <p>16 obviously none of us, other than you, were in on</p> <p>17 this meeting. Did you get like a computer screen</p> <p>18 where you hit -- because you can look at the form</p> <p>19 and it's got checkmarks?</p> <p>20 A. No, sir, I never touched a computer</p> <p>21 screen when I went in that doctor's office.</p> <p>22 Q. Got it.</p> <p>23 So if anybody's doing the checkmarks on</p> <p>24 this, it's going to be Nurse Turner?</p> <p>25 A. Must have been them after I left. I</p>

17 (Pages 62 to 65)

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<p>1 never touched a screen.</p> <p>2 Q. When you were seeing her, did she have a</p> <p>3 computer screen up or an iPad?</p> <p>4 A. Yes. They have a computer screen that</p> <p>5 once you're there, she'll go look at it and see</p> <p>6 what medicine that you're on and what she's going</p> <p>7 to prescribe me.</p> <p>8 Q. And I know you -- did you see her maybe</p> <p>9 check these forms as you were there?</p> <p>10 A. No, sir.</p> <p>11 Q. Okay. And I guess where I'm getting at,</p> <p>12 she might have, she might not have, but you</p> <p>13 weren't watching her do it?</p> <p>14 A. Right.</p> <p>15 Q. There you go. Okay.</p> <p>16 And it indicates that in this depression</p> <p>17 screening on March 31st that you're down nearly</p> <p>18 ever day?</p> <p>19 A. Yes, sir.</p> <p>20 MR. RHODES: Is it March or --</p> <p>21 MR. CARPENTER: I'm sorry, January 31st.</p> <p>22 Thanks, Carroll. That's right.</p> <p>23 Q. (By Mr. Carpenter) So in this case she</p> <p>24 said treatment was for anxiety disorder,</p> <p>25 unspecified type. Obviously, I'm -- you told her</p>	<p>1 got from Wal-Mart to try to make me sleep.</p> <p>2 Q. Gotcha.</p> <p>3 This is a -- we're back to Bounds Family</p> <p>4 Medicine.</p> <p>5 And just for the record on that one, so</p> <p>6 that we're keeping up with things. By the way,</p> <p>7 we're getting the home stretch at just about</p> <p>8 10:00, so we're making the time we needed. These</p> <p>9 notes would be 27 to 37 of 211. We keep saying</p> <p>10 that so when me and him look at a month from now,</p> <p>11 ah-ha, it's that page.</p> <p>12 A. Yes, sir.</p> <p>13 Q. So this is back to Bounds. This is a</p> <p>14 medical note from June 20th of 2024. Pages 22 to</p> <p>15 24. And I'm just going to have you look at this</p> <p>16 and see do you recall discussing anything with</p> <p>17 Nurse Bounds about depression on that particular</p> <p>18 visit? I will say there's an insomnia indication</p> <p>19 on it but nothing on depression.</p> <p>20 A. I did discuss with him each time I</p> <p>21 visit.</p> <p>22 Q. Yeah, there's just two more visits, so</p> <p>23 we really are on the home stretch.</p> <p>24 And I understand in these notes there's</p> <p>25 not a mention of depression, but you did tell him?</p>
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<p>1 that you weren't working at the facility anymore</p> <p>2 and that was causing you this problem?</p> <p>3 A. Very stressful. Yes.</p> <p>4 Q. And it looks like she had prescribed</p> <p>5 Celexa and Hydroxyzine?</p> <p>6 A. Yes, sir.</p> <p>7 Q. Did you take those medications?</p> <p>8 A. Yes.</p> <p>9 Q. Did you get them refilled?</p> <p>10 A. Couldn't afford them.</p> <p>11 Q. Okay. And how long did the anxiety and</p> <p>12 depression continue?</p> <p>13 A. It lasted a while, over six or seven</p> <p>14 months.</p> <p>15 Q. Okay. And the reason I bring it up is</p> <p>16 because when I -- I may have asked that one</p> <p>17 generally earlier. And if so, I apologize. You</p> <p>18 mentioned something, that it really went on until</p> <p>19 September when you started at Alcorn?</p> <p>20 A. Yes. I mean, to go to sleep at night</p> <p>21 every -- I could tell you a week after my</p> <p>22 medicine, I could drink Nyquil all night and it</p> <p>23 would knock me out. I would take me at least</p> <p>24 three or four cups of Nyquil in order to sleep. I</p> <p>25 would take over-the-counter sleep medicine that I</p>	<p>1 A. Yes, sir. I did.</p> <p>2 Q. And did he prescribe anything</p> <p>3 specifically for depression, if you recall?</p> <p>4 A. Yes, sir, he did.</p> <p>5 Q. Okay. And what did he prescribe?</p> <p>6 A. It was some type of sleep medicine.</p> <p>7 Q. Because he does mention refilling your</p> <p>8 Losartan, which is your hypertension.</p> <p>9 A. Yes.</p> <p>10 Q. That's a potassium tablet.</p> <p>11 And this means something to doctors and</p> <p>12 nurses and not to the rest of it. But PRN means</p> <p>13 return whenever you want to as opposed to a</p> <p>14 specific.</p> <p>15 A. Yes, sir.</p> <p>16 Q. Did he tell you just come back whenever</p> <p>17 you need to?</p> <p>18 A. Well, he told me to come back in two</p> <p>19 weeks, but I couldn't afford to pay him no \$125 a</p> <p>20 visit.</p> <p>21 Q. All right.</p> <p>22 Then we're on -- and this is, again,</p> <p>23 next to the last one. This is -- and we've</p> <p>24 covered those notes in terms of the page numbers.</p> <p>25 These are page -- Pages 15 to 17 of 211 of the</p>

18 (Pages 66 to 69)



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<p>1 Jackson{ sic } Health Center Records.</p> <p>2 In this case you went back to Nurse</p> <p>3 Turner. Do you recall telling her --</p> <p>4 MR. RHODES: What's the date?</p> <p>5 MR. CARPENTER: Sure. August 26 of</p> <p>6 2024.</p> <p>7 Q. (By Mr. Carpenter) So this is about the</p> <p>8 end of eight months following your not working for</p> <p>9 the facility. And it indicates the reason for</p> <p>10 appointment was bilateral foot pain on this visit.</p> <p>11 And she did a depression index on that one as well</p> <p>12 that indicated that you had no depression. Did</p> <p>13 you mention to her that you were still suffering</p> <p>14 from depression, anxiety?</p> <p>15 A. Yes, sir, I did. I asked her can she</p> <p>16 prescribe some kind of medication that wasn't so</p> <p>17 high that I can afford. And she told me the only</p> <p>18 thing that she could give me was the one that I</p> <p>19 was already on that would suppress my depression.</p> <p>20 Q. Okay.</p> <p>21 A. And I told her I've gone back to the</p> <p>22 drug store from the prescription that you have</p> <p>23 given me. Those bottles was 200 something dollars</p> <p>24 and I couldn't afford that.</p> <p>25 Q. And what was her response?</p>	<p>1 A. Yes, sir.</p> <p>2 Q. And it looks like -- this is now the</p> <p>3 last note I'm going to go into. Again, this was</p> <p>4 taken by Germany King. Do you know Nurse King?</p> <p>5 A. Yes, sir.</p> <p>6 Q. And at this point your weight is</p> <p>7 317.8 pounds. So that sounds about right?</p> <p>8 A. Yes, sir.</p> <p>9 Q. Okay. All right.</p> <p>10 And, once again, the depression</p> <p>11 screening on here is 0.</p> <p>12 A. Yes, sir.</p> <p>13 Q. But would you say that as of March of</p> <p>14 '25, that would be accurate?</p> <p>15 A. Yes.</p> <p>16 Q. Fair enough. All right.</p> <p>17 I think that's all I have.</p> <p>18 A. Yes, sir.</p> <p>19 EXAMINATION BY MR. RHODES:</p> <p>20 Q. I'm just going to ask her about the --</p> <p>21 well, I might do two or three.</p> <p>22 Organizational chart and the general</p> <p>23 policies.</p> <p>24 MR. CARPENTER: Okay. Organization</p> <p>25 chart?</p>
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<p>1 A. She told me she was going to get back</p> <p>2 with me once she find out -- if she find out any</p> <p>3 lower doses or something that I can take for a</p> <p>4 lower amount.</p> <p>5 Q. All right.</p> <p>6 A. And I never heard from her.</p> <p>7 Q. Okay. Now, it's fair to say, I'm</p> <p>8 guessing, you haven't seen these records before?</p> <p>9 A. No, sir, I have not.</p> <p>10 Q. So, she would be the one to talk to</p> <p>11 about why these depression scores are at 0?</p> <p>12 A. Right.</p> <p>13 Q. Now, you had mentioned that you had lost</p> <p>14 weight. And I'm just going to go back real quick.</p> <p>15 Because on January the 3rd of 2024, a few days</p> <p>16 after. It indicates on Page 39 that you were at a</p> <p>17 weight of 335.</p> <p>18 A. Uh-huh. (Affirmative response.)</p> <p>19 Q. And then on August of 2024, your weight</p> <p>20 was 327, according to this. Does that sound about</p> <p>21 right?</p> <p>22 A. It probably was.</p> <p>23 Q. And in March of 2024, you were at</p> <p>24 318 pounds, which was about a weight loss of about</p> <p>25 nine pounds. Is that what you're referring to?</p>	<p>1 MR. RHODES: Uh-huh. (Affirmative</p> <p>2 response.)</p> <p>3 MR. CARPENTER: And there's some</p> <p>4 policies on here, too.</p> <p>5 MR. JOHNSON: Yeah.</p> <p>6 MR. CARPENTER: Make them one exhibit,</p> <p>7 collectively.</p> <p>8 MR. RHODES: Yeah, yeah.</p> <p>9 MR. CARPENTER: Okay. So this will be</p> <p>10 X-3.</p> <p>11 (Exhibit 3 marked for identification.)</p> <p>12 MR. RHODES: The medicals are two,</p> <p>13 right?</p> <p>14 MR. CARPENTER: Yeah, the notice of</p> <p>15 depositions will be 1, just to cover us.</p> <p>16 Q. (By Mr. Rhodes) Ms. Smith, I'm going to</p> <p>17 hand you what's been marked as Exhibit 3. The</p> <p>18 first page of that, and ask if you can look at it</p> <p>19 and then tell us what it is?</p> <p>20 A. The first page, coming from top?</p> <p>21 Q. Uh-huh. (Affirmative response.) Is</p> <p>22 that the organizational chart of the --</p> <p>23 A. Yes, sir.</p> <p>24 Q. -- health center -- Franklin --</p> <p>25 A. Jefferson Franklin Correctional</p>

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<p>1 Facility?</p> <p>2 Q. Correctional Facility.</p> <p>3 A. Yes, sir, it is.</p> <p>4 Q. In that organizational chart, who is</p> <p>5 your immediate supervisor?</p> <p>6 A. My immediately supervisor would have</p> <p>7 been Captain Duveaux.</p> <p>8 Q. And did Captain Duveaux have a</p> <p>9 supervisor above him?</p> <p>10 A. Captain would have -- the major would</p> <p>11 have been above him.</p> <p>12 Q. And above the major?</p> <p>13 A. Above the major would have been the</p> <p>14 deputy warden.</p> <p>15 Q. Were you a confidential employee of the</p> <p>16 sheriff?</p> <p>17 A. No, sir.</p> <p>18 MR. CARPENTER: I'm going to object</p> <p>19 because that's a legal conclusion, but you can ask</p> <p>20 all the time you want to.</p> <p>21 Q. (By Mr. Rhodes) Did the sheriff ever</p> <p>22 talk to you about any policy issues?</p> <p>23 A. No, sir.</p> <p>24 Q. Did the sheriff ever talk to you about</p> <p>25 any security issues?</p>	<p>1 equal opportunity.</p> <p>2 A. Yes, sir.</p> <p>3 Q. And was there a policy in place that</p> <p>4 there would be no discrimination against any</p> <p>5 employee for any political or religious opinion?</p> <p>6 A. Yes, sir.</p> <p>7 Q. Okay. I'm going to ask you one more</p> <p>8 question. Of the folks who were running for</p> <p>9 sheriff in that -- it was a democratic primary?</p> <p>10 A. Yes, sir.</p> <p>11 Q. Were you related to any candidate?</p> <p>12 A. Derrick Stampley. We share the same</p> <p>13 father.</p> <p>14 Q. That's your brother?</p> <p>15 A. That's my brother. We share the same</p> <p>16 father.</p> <p>17 Q. That's all I have.</p> <p>18 EXAMINATION BY MR. CARPENTER:</p> <p>19 Q. Question about security issues.</p> <p>20 Is contraband a security issue?</p> <p>21 A. Yes, sir.</p> <p>22 Q. And you were, in fact, called in,</p> <p>23 because you testified that you did get called in,</p> <p>24 to the discussion between the Sheriff and</p> <p>25 Ms. McComb regarding what happened with the</p>
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<p>1 A. No, sir.</p> <p>2 Q. If you could turn to the second page,</p> <p>3 I'm going to ask you about the policy. Were these</p> <p>4 policies that the Correctional Facility had in</p> <p>5 place?</p> <p>6 A. Yes, sir.</p> <p>7 Q. Was there a policy about retaliating</p> <p>8 against an employee for their political</p> <p>9 participation?</p> <p>10 A. No, sir.</p> <p>11 Q. Was there a policy in place?</p> <p>12 A. Was -- is there a policy in place?</p> <p>13 Q. Yes.</p> <p>14 A. I don't think I've seen that.</p> <p>15 Q. Okay. If you can look at that first</p> <p>16 paragraph. Number two. Look at number two.</p> <p>17 A. Number two. Okay. Yes, sir, that is in</p> <p>18 place.</p> <p>19 Q. Was this a policy that the Correctional</p> <p>20 Facility had in place?</p> <p>21 A. Yes, sir.</p> <p>22 Q. That there would be no discrimination</p> <p>23 for political or religious activity or beliefs?</p> <p>24 A. Yes, sir.</p> <p>25 Q. And if we look at the third page, about</p>	<p>1 contraband. And the discussion was well, that</p> <p>2 happened at night shift and not the day shift.</p> <p>3 A. Yes, sir.</p> <p>4 Q. Okay. So that was at least one security</p> <p>5 issue that you did talk directly with the sheriff</p> <p>6 about?</p> <p>7 A. That I could recall about it.</p> <p>8 Q. Okay. Did you ever talk with him on any</p> <p>9 occasion, whether it be alone or in a group of the</p> <p>10 other officers that were between you and the</p> <p>11 sheriff regarding anything relating to security?</p> <p>12 A. About contraband?</p> <p>13 Q. Oh, no, just any security issue. Could</p> <p>14 be inmate counts, could be anything.</p> <p>15 A. No, sir, not -- well, inmates count. At</p> <p>16 certain time, the sheriff will come over if he</p> <p>17 been got a call from a outsider parent saying I</p> <p>18 want my child to come to your facility. And the</p> <p>19 sheriff will come over and ask me -- give me an</p> <p>20 inmate number to pull up this person off MDOC</p> <p>21 record.</p> <p>22 Q. Sure.</p> <p>23 A. I will pull up that inmate and go</p> <p>24 through things about that inmate to discuss things</p> <p>25 that he didn't know about Correctional that I knew</p>

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1 out of 27 years. And that was the only thing  
2 that -- you know, he would come quite often to  
3 tell me about that, to pull up certain inmates for  
4 him.  
5 Q. And then now that we mentioned the chain  
6 of command and Major Felton came up, did Major  
7 Felton ever tell you anything -- because there was  
8 a note that you had passed on, a handwritten note  
9 that Major Felton may have explained something to  
10 you about why you weren't still working with the  
11 facility?  
12 A. Yes, sir, he did. Major Felton, he came  
13 to visit me. Well, he came to my house to bring  
14 me something that I may have left there. And I  
15 asked him did the sheriff ever give him a reason  
16 why I was terminated. He said the sheriff said he  
17 said because you didn't support him.  
18 Q. And that's how he put it?  
19 A. Yes, sir.  
20 Q. Because the reason I'm asking is -- and  
21 I can let you see the handwritten note, that's no  
22 big deal, and probably should because it's not  
23 fair to ask you questions about it. I'm not sure  
24 we need to make it an exhibit. But, it indicates  
25 that Warden Felton said, "I was going around

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1 talking too much. I asked about what. He stated  
2 he just listened to all the rumors from other  
3 peoples." Do you recall --  
4 A. Yeah, that's what he said. And I said  
5 well, I want to know what was I talking about.  
6 Because peoples talk to me because I'm an elected  
7 official. But I never talks about election if  
8 it's not my own election.  
9 Q. And when you say "election", because in  
10 Jefferson County you are elected to the school  
11 board?  
12 A. Yes, sir.  
13 Q. And not appointed?  
14 A. Right.  
15 Q. Okay. I think that's it.  
16 (Time Noted: 10:16 a.m.)  
17 SIGNATURE/NOT WAIVED  
18  
19 ORIGINAL: MR. CARPENTER, ESQ.  
20 COPY: MR. RHODES, ESQ.  
21  
22  
23  
24  
25

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1 CERTIFICATE OF DEPONENT  
2 DEPONENT: CAROLYN SMITH  
3 DATE: April 18, 2025  
4 CASE STYLE: Smith, et al vs. Jefferson County,  
5 Mississippi, et al  
6 ORIGINAL TO: MR. CARPENTER, ESQ.  
7 I, the above-named deponent in the  
8 deposition taken in the herein styled and numbered  
9 cause, certify that I have examined the deposition  
10 taken on the date above as to the correctness  
11 thereof, and that after reading said pages, I find  
12 them to contain a full and true transcript of the  
13 testimony as given by me.  
14 Subject to those corrections listed below,  
15 if any, I find the transcript to be the correct  
16 testimony I gave at the aforestated time and place.  
17  
18 Page Line Comments  
19  
20  
21  
22  
23  
24  
25  
This the \_\_\_\_ day of \_\_\_\_, 2025.  
CAROLYN SMITH  
State of Mississippi  
County of \_\_\_\_  
Subscribed and sworn to before me, this the  
\_\_\_\_ day of \_\_\_\_, 2025.  
My Commission Expires:  
\_\_\_\_\_  
Notary Public

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1 CERTIFICATE OF COURT REPORTER  
2 I, Robin G. Burwell, Court Reporter and  
3 Notary Public, in and for the State of Mississippi,  
4 hereby certify that the foregoing contains a true  
5 and correct transcript of the testimony of CAROLYN  
6 SMITH, as taken by me in the aforementioned matter  
7 at the time and place heretofore stated, as taken by  
8 stenotype and later reduced to typewritten form  
9 under my supervision by means of computer-aided  
10 transcription.  
11 I further certify that under the authority  
12 vested in me by the State of Mississippi that the  
13 witness was placed under oath by me to truthfully  
14 answer all questions in the matter.  
15 I further certify that, to the best of my  
16 knowledge, I am not in the employ of or related to  
17 any party in this matter and have no interest,  
18 monetary or otherwise, in the final outcome of this  
19 matter.  
20 Witness my signature and seal this the  
21 30th day of April, 2025.  
22  
23  
24 ROBIN G. BURWELL, #1651  
25 CRR, RPR, CCR  
My Commission Expires:  
April 6, 2029